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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PARIS CHERER,

Defendant.

2:05-CR-325 JCM (LRL)

ORDER

Presently before the court is petitioner Paris Cherer's motion for a certificate of appealability and motion for evidentiary hearing. (Docs. #138 and 139). The government has not filed a response.

This court already ruled on both requests in its order denying Cherer's motion to set aside or vacate sentence pursuant to 28 U.S.C. § 2255. Specifically, the court granted a certificate of appealability as to the court's resolution of petitioner's incompetency claim and ineffective assistance of counsel claims. *See* Doc. #127 at 3:25-26 and 7:9-10. It denied a certificate of appealability as to petitioner's remaining claims. *See id.* at 4:13-14 (conditions of pretrial confinement), 5:3-4 (*Brady* violations) and 5:10-11 (invalid arrest).

The court also denied petitioner's motion for an evidentiary hearing. *See id.* at 7:18-25.

Petitioner has neither requested, nor argued there are any grounds for, reconsideration of this court's previous orders.

Accordingly,

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that petitioner's motion for a
2 certificate of appealability (doc. #138) be, and the same hereby is, DENIED AS MOOT.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that petitioner's motion for
4 an evidentiary hearing (doc. #139) be, and the same hereby is, DENIED AS MOOT.

5 DATED April 19, 2012.

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8 UNITED STATES DISTRICT JUDGE